



How to Use the Plant Importation Manuals

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Purpose

The Plant Importation set of manuals will enable you to:

- ◆ Regulate imported articles of plant origin that are not intended for propagation and that might serve to introduce exotic pests.
- ◆ Regulate imported articles of nonplant origin (like goatskins, brassware, and beeswax) that might serve to introduce exotic pests and parasites.
- ◆ Regulate articles of plant and nonplant origin, including those intended for propagation, moving from Hawaii and possessions and territories of the United States.
- ◆ Protect plants that are threatened with extinction due to trade in those plants or their derivatives.

The articles entered in these manuals from the countries of origin indicated are regulated because just one destructive pest might be enough to start a pest outbreak that can cause millions of dollars of damage to crops, trees, flowers, or lawns. By their destructiveness, pests can increase the price and reduce the quality of food, lower property values, and ruin recreational areas. The extinction of just one plant species does away with the aesthetic, ecological, educational, historical, recreational, commercial, and scientific value of our world.

Scope

This set of manuals primarily is for regulating the importation of plants and their products that are **not** intended for propagation. However, they also contain the instructions necessary to regulate the movement of articles and carriers from Hawaii, Puerto Rico, and the U.S. Virgin Islands—including articles intended for propagation. Also entered in this manual are a few nonplant articles that could serve to introduce exotic pests or parasites (for example, goatskins are entered because they can sustain populations of the khapra beetle; while beeswax is entered because it could introduce exotic bee mites or diseases of bees). Use the following table to determine what manual to use:

If the article is moving/ moved from:	And is of:	And is:	And can be categorized as:	Then refer to the manual titled:
Hawaii	_____	_____	_____ →	HAWAII (red tab)
Puerto Rico or the U.S. Virgin Islands	_____	_____	_____ →	PUERTO RICO AND THE U.S. VIRGIN ISLANDS (purple tab)
Other than one of the locations identified in the two cells above	Plant origin	A whole seed that is dried or fresh	Mature (dried) but free from its husk or pod	UNPROCESSED SEEDS (yellow tab)
			Immature (fresh) or not separated from its husk or pod	FRUITS AND VEGETABLES (green tab)
		Aloe	_____ →	MISCELLANEOUS AND PROCESSED PRODUCTS (blue tab)
		Cotton or its product	_____ →	FOREIGN COTTON AND COVERS M319.8 (not in this set of manuals)
	Other than cotton, aloe, or a whole seed that is dried or fresh	Fresh, decorative material, including cut flowers, greenery, or fruit	Fresh, usable parts of plants, such as fruits, stems, leaves, roots, and flowers (herbs and vegetables)	FLOWERS AND GREENERY (pink tab)
			Usable parts of plants that have been processed in some way beyond harvesting	FRUITS AND VEGETABLES (green tab)
			MISCELLANEOUS AND PROCESSED PRODUCTS (blue tab)	
Nonplant origin	_____	_____	_____ →	

Users

This set of manuals is primarily for two groups of regulatory officers:

- ◆ Plant Protection and Quarantine (PPQ) officers and their cooperators working at ports of entry (airports, land borders, and seaports)
- ◆ PPQ officers and their cooperators doing predeparture inspection in Hawaii, Puerto Rico, and the U.S. Virgin Islands)

Secondarily, they are used by domestic and international PPQ officers and other regulatory officials to answer questions related to importations asked by the public, importers, brokers, and other interested parties.

Related Documents

You may be referred to the following documents:

- ◆ Code of Federal Regulations (CFR)—you need to refer to this for your authority:
 - ❖ 7CFR 300's (CFR enforced by PPQ)
 - ❖ 7CFR 201 (CFR for enforcing the “Seed Act”)
 - ❖ 9CFR 95 (CFR for sanitary control of hay and straw offered for entry into the United States)
 - ❖ 50CFR 17 and 23 (CFR for protecting plants that are in danger of extinction)
- ◆ Treatment Manual—you will be referred to this manual when a commodity must be treated as a condition of entry or based on pest findings.
- ◆ The General Operational Procedures or M390's—you will be referred to this manual for directions on completing forms, clearing cargo, making interceptions, and other related procedures.
- ◆ Nursery Stock Restrictions—you must use this manual when an article is intended for propagation rather than consumption.

Application

This set of manuals primarily was designed to enable officers to regulate commercial shipments. If you use this manual to regulate a noncommercial shipment (like those encountered in baggage, mail, and household effects), then increase the sampling rates and inspectional levels detailed in the procedural sections.

This set of manuals may be applied to port of entry operations in the United States, Puerto Rico, U.S. Virgin Islands, Guam, or the Commonwealth of the Northern Mariana Islands. It may also be applied to preclearance operations in Hawaii and Puerto Rico.

Reporting Problems

If you want to suggest an improvement or to identify a problem with the content of this set of manuals of manual, complete and mail the “Comment Sheet” behind the Index (or that is included with some transmittals). If the problem is urgent, call John L. Patterson at the Manuals Unit. If there is disagreement with the enterability of a commodity as indicated by the manual and the situation requires an immediate response, then contact the Permit Unit by phone. If the disagreement is with policy or procedures, then contact the Port Operations Inspection and Compliance Unit through channels and describe what you recommend and why you disagree.

Usage

This set of manuals is divided into four major sections:

- ◆ The Introduction
- ◆ The Manuals
- ◆ The Appendixes
- ◆ The Index

The six manuals are as follows:

- ◆ Regulating the Importation of Fresh Fruits and Vegetables (including immature legumes still in their pod)—Use for regulating importations of fresh fruits (including immature nuts that have not been separated from their husk), herbs, and vegetables imported for consumption as opposed to propagation.

- ◆ Regulating the Importation of Fresh, Cut Articles of the Florist Trade—Use for regulating importations of fresh cut flowers, greenery, and botanical fruit imported for decoration and are not intended for eating or growing.
- ◆ Regulating the Importation of Unprocessed Seeds Not Intended for Propagation—Use for regulating importations of unprocessed seeds that are imported for consumption and are not intended for planting.
- ◆ Regulating the Importation of Miscellaneous and Processed Products Regulated by Plant Protection and Quarantine—Use for regulating imported items that are processed and are not intended for propagation.
- ◆ The Regulation and Clearance of Carriers, Mail, Passengers, Plants, Plant Products, Sand, Soil, and Earth From Hawaii to Other Parts of the United States—Use for regulating plants, plant parts, and products intended for both propagative and nonpropagative purposes. Use also for regulating carriers originating in Hawaii and moving to other parts of the United States.
- ◆ The Regulation and Clearance of Carriers, Mail, Passengers, Plants, Plant Products, Sand, Soil, and Earth From Puerto Rico and the U.S. Virgin Islands to Other Parts of the United States—Use for regulating plants, plant parts, and products intended for both propagative and nonpropagative purposes. Use also for regulating carriers originating in Puerto Rico or the U.S. Virgin Islands and moving to the United States or other territories.

Each manual is further divided into three sections: (1) Background and Introduction, (2) Methods and Procedures; and (3) Reference Section. The first section contains directions for determining what is and is not covered in each manual. The second section gives specific directions on sampling, inspecting, and determining pest risk of a shipment. The third section is a reference that directs you to the enterability of an article.

The appendixes contain the following kinds of material:

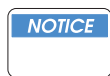
- ◆ Supplementary information which is not appropriate for other components or topics.
- ◆ Explanations and elaborations not essential to the manual but helpful to the user.
- ◆ Information that interrupts the application of the information or makes the information more difficult to follow.

Look at the Table of Contents of this set of manuals (each manual part contains a detailed Table of Contents) to get a more detailed view of its organization and scope. Glance at the Index so that you are familiar with its use—its purpose is to make the information more accessible.

Collecting Information Before Using This Manual

Here are the kinds of information you need to collect before using this set of manuals:

- ◆ Scientific or common name of the plant, plant part, or plant product at hand.
- ◆ Origin of the plant, plant part, or plant product (not the port of lading but where the item was grown or harvested).
- ◆ Destination of the plant, plant part, or plant product—where the item will be used. (Destination is not always the port of entry.)
- ◆ Size of the shipment and kind—commercial or noncommercial.
 - ❖ Commercial/larger quantities—imported for resale or for profit
 - ❖ Noncommercial/smaller quantities—imported for personal use and not for profit passenger baggage, trade samples, mandado¹, household goods, and mail shipments)
- ◆ Presence or absence of required permits or phytosanitary certificates.



Hold all shipments until you have the information you need. Information can be gleaned from a variety of sources—so be creative and do some solid investigating.

If a commercial shipment—get information from:

- ◆ U.S. Customs manifests and other Customs forms
- ◆ Carrier documents (air waybills, shipping papers)
- ◆ Phytosanitary certificates
- ◆ Invoices—obtained from importer or broker
- ◆ Notice of arrival
- ◆ Packing lists
- ◆ Importers, brokers, freight forwarders, or other representatives of the importer
- ◆ Computers, computer printouts
- ◆ Labels

¹ Mandado—small lots of fruits and vegetables imported for local consumption along the Mexican border.

◆ Permits—PPQ, Convention on International Trade in Endangered Species of Fauna and Flora, and Endangered Species



Make sure that your information is accurate. Manifests often show the port or airport of lading, but not the origin of the import. You may check other documents for the country of origin. **Example:** An air waybill of lading shows 15 boxes of cut flowers being imported from The Netherlands, but when you inspect the flowers, you notice the boxes have printing that says the flowers were grown in Israel. Consult reference materials and PPQ specialists (botanist, entomologist, and plant pathologist) when you're not sure what's being imported.

If a noncommercial shipment (not for sale nor profit)—get information from:

- ◆ Declaration—oral or written U.S. Customs declaration
- ◆ Documents such as a sales receipt
- ◆ Phytosanitary certificates
- ◆ Labels—information written on the packaging
- ◆ An interview with the importer
- ◆ Permits

Use the Appropriate Manual to Take Regulatory Action:

Once you have all the necessary information needed to make a regulatory decision, you can take one of four actions: hold, refuse entry, authorize shipment, or release.

- ◆ Hold—Take this action to maintain control of plant or plant product while:
 - ❖ Collecting information to make a regulatory decision
 - ❖ Awaiting inspection of plant, plant part, or plant product
 - ❖ Awaiting importer or representative to make cargo accessible for inspection
 - ❖ Awaiting identification of an “urgent interception”¹
 - ❖ Awaiting decision by importer to apply for required permits, to treat¹, or to reexport
 - ❖ Awaiting permits

1 If a commercial shipment requires treatment or if the shipment is being held pending the identification of a pest, allow the importer either to have the commodity treated, to have it reexported, or to arrange for its destruction. In general, it is impractical to treat articles intercepted in baggage. Therefore, seize and destroy such articles. On occasion, because of the high value of an article, you may have to defer a decision to a higher authority. In this instance, safeguard the article and refrigerate if necessary. Tell the passengers that they must arrange for the pick up or the forwarding of the article if it is found to be enterable.

- ◆ Refuse Entry—Take this action if the plant or plant product is:
 - ❖ Prohibited and not authorized by a Departmental permit
 - ❖ Infested with plant pests and the importer refuses to treat the plant or plant product
 - ❖ Imported and the importer refuses to comply with the conditions of entry
 - ❖ Infested with a pest for which a treatment does not exist or is not feasible
- ◆ Authorize Shipment—This action may be authorized under U.S. Customs bond (also called in-bond or I.T.) and allows the item to move to another port where PPQ has personnel to inspect or treat the item. Take this action if:
 - ❖ The receiving PPQ work unit agrees to clear the item.
 - ❖ The cargo is moving to an approved treatment facility. Prescribe proper safeguards to prevent any pest escape.
 - ❖ The item remains aboard the carrier as residue cargo and the destination is authorized for the regulated item.
 - ❖ The conditions of the permit require that the regulated item be cleared/treated at a specific port of entry (example: Departmental permit material to Beltsville).
- ◆ Release—Take this action after ensuring:
 - ❖ The material is enterable.
 - ❖ All permit requirements have been met.
 - ❖ Treatable pests have not been found.
 - ❖ Required treatments, if any, have been completed.
 - ❖ All required documents are in order (CITES, permits, phytosanitary certificates).

The Anatomy of a Table

This is an individual CELL		This is a COLUMN	
This is a ROW			

Using Decision Tables

Here's how to use decision tables:

Read tables from left to right, beginning with the column headings, and moving one column at a time. For example, moving left to right, follow the highlighted decision making sequence for determining the regulatory action—if the brassware is arriving from and/or originating in Mumbai, India, and is associated with packing material: 1. REQUIRE A WRITTEN PERMIT, and 2. REQUIRE T413-a or T413-b (“Then” column) under the authority or 7CFR 319.75 (“Authority” column).

BRASSWARE¹

If:	And:	And:	Then:	Authority:
Arriving from and/or originating in Mumbai, India	Associated with any packing material		1. REQUIRE A WRITTEN PERMIT, and 2. REQUIRE T413-a or T413-b	7CFR 319.75
	No packing material present	Contained in anything that could conceal or be a source of food for the khapra beetle		
			Not in a container or if in a container, the PPQ officer determines that the khapra beetle could not be concealed	HANDLE AS MISCELLANEOUS CARGO—see M390.105
Neither arriving from nor originating in Mumbai, India	→	Bagged in used burlap or jute	SEE PAGE 5.53	
		Bagged in other than used burlap or jute	HANDLE AS MISCELLANEOUS CARGO—see M390.105	7CFR 330.105

1 Articles made by hand or by machinery from brass.

In Mumbai, India, brassware is stored in warehouses heavily infested with the khapra beetle. Although the brassware itself could not serve as host to this beetle, the associated containers or packing could conceal or be a source of food for this pest. Therefore, such brassware arriving from Bombay must be treated as a condition of entry.

Alternatively, if the brassware is arriving from and/or originating in Mumbai, India, and there is no packing material present, and you judge that the khapra beetle could not be concealed: HANDLE AS MISCELLANEOUS CARGO—see M390.105 (“Then” column) under the authority or 7CFR 330.105 (“Authority” column).

BRASSWARE¹

If:	And:	And:	Then:	Authority:
Arriving from and/or originating in Mumbai, India	Associated with any packing material	→	1. REQUIRE A WRITTEN PERMIT, and 2. REQUIRE T413-a or T413-b	7CFR 319.75
	No packing material present	Contained in anything that could conceal or be a source of food for the khapra beetle		
		Not in a container or if in a container, the PPQ officer determines that the khapra beetle could not be concealed	HANDLE AS MISCELLANEOUS CARGO—see M390.105	7CFR 330.105
Neither arriving from nor originating in Mumbai, India	→	Bagged in used burlap or jute	SEE PAGE 5.53	
		Bagged in other than used burlap or jute	HANDLE AS MISCELLANEOUS CARGO—see M390.105	7CFR 330.105

1 Articles made by hand or by machinery from brass.

In Mumbai, India, brassware is stored in warehouses heavily infested with the khapra beetle. Although the brassware itself could not serve as host to this beetle, the associated containers or packing could conceal or be a source of food for this pest. Therefore, such brassware arriving from Mumbai must be treated as a condition of entry.

Conventions

A convention is a practice or element of design established by custom and widely recognized and accepted. The major conventions used in this set of manuals of manuals are:

Those that alert you to something:

Warning

A warning advisory indicates that people could possibly be hurt or killed. Compare to “Caution.” A warning advisory looks like the following throughout the manual:



Caution

A caution advisory indicates that people could possibly be endangered and slightly hurt. Compare to “warning.” A caution advisory looks like the following throughout the manuals:



Important Note

Helpful hint(s) or other information that assists the user. An important note looks like the following throughout the manuals:



Notice

Notices indicate a dangerous situation is possible where goods might be damaged. A notice looks like the following throughout the manuals:



Emphasis

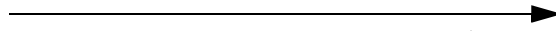
To make sure you recognize a negative statement (for example, “a location **not** listed above”).

Italics

Indicates a scientific name.



Indicates something deleted (angle bracket).



Moves you across cells in a table (large arrow).



Indicates something added or revised (change bar).

Those that infer (or don't infer) order or ranking:

- ◆ Numbers or letters are used to indicate order or ranking (for example, if listing steps in the order they are done or listing items from most to least importance).
- ◆ Bullets are used to indicate that there is no particular order or ranking.

Those definitions that have a special application to plant protection and quarantine.

Those that separate complex conditionals graphically to make them easier to use. We use tables to separate complex conditionals (if...and...then). See the following page for the conventions we use to construct decision tables.

When the term “grain” is used in this manual, it refers to the unhusked or the threshed seeds of various food plants including the cereal grasses intended for consumption rather than planting. “Seed,” on the other hand, refers to the ripened ovule enclosing a rudimentary plant necessary for its germination and intended for planting rather than consumption.

If:	And:	And:	Then:	Authority:
Arriving from and/or originating in Mumbai, India	Associated with any packing material	Contained in anything that could conceal or be a source of food for the khapra beetle	1. REQUIRE A WRITTEN PERMIT, and 2. REQUIRE T413-a or T413-b	7CFR 319.75
	No packing material present			
		Not in a container or if in a container, the PPQ officer determines that the khapra beetle could not be concealed	HANDLE AS MISCELLANEOUS CARGO—see M390.105	
Neither arriving from nor originating in Mumbai, India		Bagged in used burlap or jute	SEE PAGE 5.53	7CFR 330.105
		Bagged in other than used burlap or jute	HANDLE AS MISCELLANEOUS CARGO—see M390.105	

In Mumbai, India, brassware is stored in warehouses heavily infested with the khapra beetle. Although the brassware itself could **not** serve as host to this beetle, the associated containers or packing could conceal or be a source of food for this pest. Therefore, such brassware arriving from Mumbai must be treated as a condition of entry.

1. Title of entry
2. Variables that must be used to reach a regulatory action(s)
3. Regulatory action(s) to take
4. Authority for taking regulatory action indicated
5. Reason the plant, plant product, or article is regulated

